

## REMARKS

Claims 1-32 are pending in the present application. In the above amendments, claims 1, 7, 13, 19, 25, 27, 29 and 31 have been amended and claims 26, 28, 30 and 32 have been cancelled. Therefore, after entry of the above amendments, claims 1-25, 27, 29 and 31 will be pending in this application. Applicants believe that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

### 35 U.S.C. 112 Rejection

Claims 1, 7, 13, 19 and 25-32 stand rejected under 35 U.S.C. § 112, first paragraph because the claim's features do not allegedly have support for the "communication channels" subject matter. While Applicants do not necessarily agree with this rejection due to the disclosure of at least paragraph [0037], Applicants have amended the claims to remove any mention of first and second communication channels. Applicants believe the amendment does not alter the scope of the claim.

Claims 1, 7, 13 and 19 stand rejected under 35 U.S.C. § 112, first paragraph because the claim's features do not allegedly have support for the "communication or channel latency" subject matter. Applicants have amended the claims to remove any mention of "regardless of a channel latency." Applicants believe the amendment does not alter the scope of the claim.

Applicants respectfully submit that all claims now comply with the statutory requirements of 35 U.S.C. § 112.

### 35 U.S.C. 102 Rejection

Claims 1-32 are rejected under 35 U.S.C. 102 as being allegedly anticipated by Yao. Applicants respectfully traverse the rejection. As discussed in more detail below, Applicants believe that amendments to the independent claims have made the previous rejection moot.

The features of Applicants' amended claims 1, 7, 13 and 19 recite a method for automatically suppressing each of the silence frame(s) from a stream of media. That is, the amended claims

possess a positive limitation of suppressing silence frames, and suppressing all silence frames as required, regardless of the environment of the communication channel.

This is in contrast to Yao, which generally discusses dropping an entire data frame to alleviate the problem of communication channel latency of a communication channel. Col. 3, line 5 – Col. 5, line 40. In other words, complete data frames are dropped in a transmitter at a fixed, predetermined rate, Col. 3, lines 5-8, are dropped at different rates depending upon the quality of the communication channel, Col. 3, line 38 – Col.4, line 35, or depending upon a queue threshold, Col. 4, lines 35-40. While some of these data frames may have no information in them, Yao discusses the general concept of producing and dropping a low rate frame which may have “little” information in it. Col. 8, line 62 – Col. 9, line 3. That is, Yao drops any frame regardless of its content when there is a problem of communication channel latency for a communication channel. However, Yao indicates that using predetermined fixed rates may lead to poor voice quality at a receiver. Col. 10, line 66 – Col. 11, line 11. Yao does not specifically **suppress silence frames**, therefore Yao fails to teach or suggest at least the features of independent claims 1, 7, 13 and 19.

### **Dependent Claims**

Claims 2-6, 8-12, 14-18 and 20-32 depend directly or ultimately from, and include all the subject matter of, claims 1, 7, 13 and 19, and should be allowed for at least the same reasons presented above regarding the independent claims as well as the additionally recited features found in the claims.

However, the features of Applicants’ dependent claims which describe, for instance as in claim 4, “suppressing includes suppressing a silence frame between two successive media frames,” is not disclosed as suggested. Where Yao suggests that data frames are dropped in accordance with multiple algorithms, Col. 4, lines 8-40, Applicants would like to point out that

these dependent claims suppress, for instance as in Claim 4, based upon the location and content of the frames, and not upon an algorithm based upon the stream as suggested in Yao.

Because Applicant believes that independent claims 1, 7, 13 and 19 are allowable, Applicant reserves the right to argue the relied on independent patentability of each of the dependent claims in any subsequent proceeding.

### CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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